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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,563	04/11/2001	Jack V. Smith		7743
7590	01/14/2004		EXAMINER	
JACK V. SMITH P.O. BOX 156 Arden, NC 28704			EPPERSON, JON D	
			ART UNIT	PAPER NUMBER
			1639	

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

1/10/2004

DATE MAILED:

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Commissioner of Patents and Trademarks

Non-Responsive Amendment (Non-Bonafide)

The reply dated October 23, 2003 is not fully responsive to the prior Office action because of the following omission(s) or matter(s):

First, the Examiner notes that Applicant's most recent amendment (i.e., the Amendment filed 10/23/2003) has not been entered. Second, the Examiner notes that Applicant has been advised to seek the services of a registered attorney (e.g., see Paper No. 9, paragraph 1). With regard to Applicant's current amendment (i.e., the Amendment filed 10/23/2003) the Examiner contends that only claims 1-7 are currently pending and, as a result, Applicant cannot cancel claims 1-11 because (a) claims 8-11 are not currently pending and (b) if these claims were canceled, Applicant would be left with no pending claims. Furthermore, the Examiner notes that claims 12-15 also have not been entered and, as a result, Applicant cannot amend or present these claims as original claims (also note that these could never be original claims because they were not originally filed). In addition, Applicant has not addressed any of the issues set forth in Paper Nos. 7 and 9 e.g., even if claims 12-15 were pending (which they are not) they would still not be in compliance because they are drawn to a non-elected invention (see Paper No. 9, paragraphs 6-13 wherein the issue was addressed at length; see also Paper No. 7, paragraphs 3-8).

The Examiner also notes that this application will be ABANDONED after the expiration of the statutory period set out in the Bonafide letter (i.e., Paper No. 9).

Any inquiry concerning this communication should be directed to Examiner Jon D. Epperson, Ph. D., Art Unit 1639, whose telephone number is (703) 308-2423.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-1235.

Jon D. Epperson, Ph.D.
Patent Examiner

EXAMINER
PRIMARY EXAMINER